



North Central Counties Consortium (NCCC)
Civil Rights and Grievance Summary

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

It is against the law for NCCC and its America's Job Center of California (AJCC)/ One Stop Centers, recipients of federal financial assistance, to discriminate on the following basis: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, marital status, sexual orientation, political affiliation or belief; and

Against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act of 2014 (WIOA) on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I financially assisted program or activity.

The NCCC and its AJCC/One Stop Centers must not discriminate in any of the following areas:

- Deciding who will be admitted or have access to any WIOA Title I financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

WHAT TO DO IF YOU HAVE EXPERIENCED DISCRIMINATION

If you think you have been subjected to discrimination under a WIOA Title I financially assisted program or activity, you may file a complaint within 180 days of the alleged violation with either: NCCC's Equal Opportunity (EO) Officer (listed below) or the Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Ave. NW, Room N-4123, Washington, DC 20210. www.dol.gov/crc.

If you file your complaint with NCCC, you must wait until NCCC issues a decision or until 90 days have passed, whichever is sooner, before filing with CRC. If NCCC has not provided you with a written decision within 90 days of the filing of the complaint you need not wait for decision to be issued, but may file a complaint with the CRC within 30 days of the expiration of the 90 day period. If you are dissatisfied with NCCC's resolution of your complaint, you may file a complaint with CRC. Such a complaint must be filed within 30 days of the date you received notice of NCCC's proposed resolution.

We encourage you to present your complaint to the person in charge of the agency in which you believe has discriminated in order to obtain a resolution of the problem. If you are not satisfied with the informal resolution you may present your complaint in writing to NCCC's EO Officer or to the CRC as noted above. NCCC's address is:

Elizabeth Barber, NCCC EO Officer

ebarber@ncen.org

1110 Civic Center Blvd., Suite 402A

Yuba City, CA 95993

(530) 822-7145

7-1-1 CA Relay Service (CRS) for TTY Users

GRIEVANCE/COMPLAINT SUMMARY

If you want to file a complaint regarding an action, policy or treatment that impacts your participation in a WIOA AJCC/One Stop program, please contact your WIOA AJCC/One Stop Case Manager. A copy of the NCCC Grievance and Complaint Processing Procedures can be requested from your Case Manager or from the Equal Opportunity Officer listed below.

Attempts will be made at the AJCC/One Stop Center to resolve the complaint informally. If the complaint is not resolved informally, you have the right to file a formal complaint and be heard by a Hearing Officer.

The following rules apply to all complaints:

1. Hearings on any grievance shall be conducted within 30 days of filing a grievance and decisions shall be made not later than 60 days after filing.

- a. Notice of Hearing

The Local Area must notify the complainant and respondent in writing of the hearing at least 10 days prior to the date of the hearing. The 10-day notice period may be shortened with written consent from both parties. The notice shall be in writing and contain the following information:

- The date of the notice, name of complainant, and the name of the party against whom the grievance is filed.
- The date, time, and location of the hearing.
- A statement of the alleged violation(s). The statement must accurately reflect the content of the grievance or complaint as submitted by the complainant. However, clarifying notes may be added to assure that the grievance or complaint is addressed accurately.
- The name, address, and telephone number of the contact person issuing the notice.

- b. Conduct of Hearing

An impartial hearing officer shall conduct the hearing. All members of the Local Workforce Development Board and the local Chief Elected Official(s) are considered interested parties and cannot conduct an impartial hearing. The state suggests the Local Area seek impartial hearing officers from among the staff of legal offices or personnel departments of local municipalities or counties that will not be directly affected by, or will not implement the final resolution of, a specific grievance or complaint.

The hearing must be conducted in an informal manner and not be bound by strict rules of evidence. All hearings must follow any applicable procedures established by the Local Area. Both parties have the right to be represented at their own cost, present written and oral testimony, call and question witnesses, and request and examine records and documents relevant to the issues. The hearing must be recorded electronically or by a court reporter.

- c. Decision of Hearing

The hearing officer shall provide a written decision to the Local Area. The Local Area shall mail the written decision to both parties by first class mail no later than 60 days after the filing date of the grievance or complaint. The decision shall contain the following information:

- The names of the parties involved.

- A statement of the alleged violation(s) and related issues.
- A statement of the facts.
- The hearing officer's decision and reasoning.
- A statement of the corrective action or remedies for violations, if any, to be implemented.
- A notice of the right of either party to request an appeal of the decision by the State Review Panel within 10 days of receipt of the decision.

d. Local Level Appeal

If a complainant does not receive a decision within 60 days of the filing date of the grievance or complaint, or receives an adverse decision, the complainant has the right to file an appeal with the state.

2. All complaints must be made in writing within one year of the alleged occurrence. Persons filing a complaint have the right to request staff assistance in preparing their complaint.
3. All persons filing a complaint shall be free from restraint, coercion, reprisal or discrimination. Persons complaining have the right to withdraw their complaints (in writing) at any time before the hearing. A complaint can be amended to correct technical deficiencies but not to add issues.
4. Complainants can be represented at their expense by a person(s) of their choice at all levels of the process.
5. Complainants must exhaust NCCC's hearing procedures before appealing to the State except where the State determines that the NCCC procedures do not comply with the State procedures.
6. Complainants must exhaust the State's hearing procedures before appealing to the U.S. Secretary.

WIOA participants who do not receive a written decision within 60 days of filing their complaint or who receive an unsatisfactory decision from NCCC may file a complaint or **an appeal directly** with the State of California:

Chief, Compliance Review Office, MIC 22-M
 Employment Development Department (EDD)
 PO Box 826880
 Sacramento, CA 94280-0001

If the State of California Review Panel or **EDD Hearing Officer** has issued an adverse decision regarding a grievance or complaint, or has not issued a decision within 60 days of receipt of a local level appeal, request for EDD review, or grievance or complaint, the complainant may file an appeal with the Secretary. This appeal process applies to grievances and complaints that originated at the local or state level.

Appeals of an adverse decision must be filed within 60 days of receipt of the adverse decision from the State Review Panel. In cases where the State Review Panel did not issue a decision, the complainant must file an appeal within 120 days of either of the following: • The date on which the complainant filed the appeal of a local level decision or request for EDD review with the state. • The date on which the complainant filed the grievance or complaint with the state.

All appeals to the Secretary must be sent to the DOL National Office via certified mail with return receipts requested. Copies of the appeal must simultaneously be provided to the DOL Employment and Training Administration (ETA) Regional Administrator and the respondent. Mailing addresses for the DOL National Office and ETA Regional Administrator are included below:

Secretary of Labor

Attn: Assistant Secretary of ETA
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

ETA Regional Administrator

Office of Regional Administrator
U.S. Department of Labor
P.O. Box 193767
San Francisco, CA 94119-3767

Grievances or complaints filed directly with the Secretary that were not previously filed with the Local Area and/or state will be remanded to the Local Area or state, as appropriate.

The Secretary shall issue a final determination no later than 120 days after receiving the appeal.

Direct all questions, grievances, and complaints filed with NCCC to:

Elizabeth Barber, NCCC EO Officer

ebarber@ncen.org

1110 Civic Center Blvd., Suite 402A

Yuba City, CA 95993

(530) 822-7145

7-1-1 CRS for TTY Users

I understand and have received a copy of the Civil Rights and the Complaint Summary form for WIOA programs.

Signature _____

Date _____

NCCC is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.